## Points to Remember

1) If you are working on a Missouri public works construction project, you must be paid the prevailing wage.
2) Prevailing wage rates are required to be posted on your work site.
3) It is helpful if you keep your own records of time and days worked and the type of work you did.
4) Your records should agree with your contractor's records.
5) You have a right to file a complaint with the Division of Labor Standards if you feel you are not being paid properly.
6) Apprentices should be registered and certified with B.A.T. Apprentices not registered or in a certified program must be paid journey level wages.
7) Do **not** ever represent yourself as a Division of Labor Standards employee.
8) Contact the Division of Labor Standards for assistance.

We invite all of you with any questions or request for assistance to contact us at:


**Missouri Dept. of Labor & Industrial Relations**
**DIVISION OF LABOR STANDARDS**
**P.O. Box 449**
**Jefferson City, MO 65102-0449**
**1-800-475-2130 (573) 751-3403**
**Fax: (573) 751-3721**

**Internet Address:**
**laborstandards@dolir.state.mo.us**
**DOLIR Homepage:**
**www.dolir.state.mo.us/ls**


**RELAY MISSOURI SERVICE:**

**Voice User Calling A**
**Hearing/Speech Impaired User**
**1-800-735-2466 (VOICE)**

**Hearing/Speech Impaired User Calling A**
**Voice User**
**1-800-735-2966 (TDD)**

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# Division of Labor Standards Information Series

# Workers Guide to Missouri's Prevailing Wage Law

**Missouri Department of Labor and Industrial Relations**
**DIVISION OF LABOR STANDARDS**

# A Workers Guide to Missouri's Prevailing Wage Law

The Missouri Prevailing Wage Law requires that all workers working on public works projects be paid the proper prevailing hourly wage rate. Prevailing wage rates are determined by actual hours worked, for a particular occupational title (classification/trade) in each individual county throughout the state.

1) The Prevailing Wage Law can be found in the Revised Statutes of Missouri (RSMo), Chapter 290.210 thru 290.340. The Prevailing Wage Law Rules are found in the Code of State Regulations (CSR), Chapter 3 8 CSR 30-3.010 thru 30-3.060.
2) The Annual Wage Order (AWO) or General Wage Order (GWO) is issued for Prevailing Wage projects. It contains proper hourly wage rates, overtime, holiday and make up schedules for workers.
3) You should be paid a minimum of the prevailing hour wage rate. Prevailing wage is a combination of the base rate plus fringe benefits. Hourly wage rate paid to workers are:
   a) altogether as hourly rate of pay, or
   b) separated into an hourly rate paid to worker and fringe benefits paid to a third party fund/plan equaling the total package, or
   c) workers paid an hourly rate plus part of fringes and part of fringes paid to third party fund/plan.
4) The prevailing wage rates for projects, included with the call for bid (advertised date), remain in effect for the whole project (8 CSR 30-3.010(4)).
5) A contractor is required to keep true and accurate payroll records. They must include hours worked and hourly wage rates paid per Occupational Title for each worker (RSMo 290-290).
6) Contractors and employees should keep a log record of every days work (try using a note pad, calendar). It should include:
   a) project worked (Prevailing Wage and Non Prevailing Wage).
   b) Occupational Title (classification/trade), and a description of the actual work performed.
   c) Time worked in hours per day and week for each Occupational Title.
   d) Overtime worked. Overtime could be after working over 8 or 10 hours per day, or over forty hours per week. The Annual and General Wage Order provide overtime codes.
7) You and your supervisor should sign off on your hours worked daily or weekly. This helps assure accuracy. The hours should be recorded according to occupational title worked (work description).
8) The public body is required to review all contractor's payroll records for Prevailing Wage Law compliance (8 CSR 30-3.010(7)).
9) The Occupational Titles of Work Description defines each work classification/trade (8 CSR 30-3.060).
10) A complete copy of the wage rates are required to be POSTED on the project site by ALL contractors General or Subs (RSMo 290-265 and 8 CSR 30-3.050).
11) On-site work and off-site work performed at a temporary location designated to a project is considered prevailing wage. Off-site work at a permanent location is not considered prevailing wage (8 CSR 30-3.020(2)).
12) Travel time is not considered prevailing wage unless you are performing work in a dual capacity (RSMo 290-230(2)).
13) If you are an apprentice, you must be registered with the Federal Bureau of Apprenticeship and Training (B.A.T.) program (8 CSR 30-3.030(2)). Otherwise, you must be paid the journey level rate.
14) Due to a court ruling the Department does not have authority to pursue back wages for workers. However, you have the right to seek a private right of action. Workers may seek action to recover double their back wages and attorney fees (RSMo 290-300).
15) If you feel you are not being paid the proper wage rate, contact us to file a complaint. We will forward you a complaint form. The form can be mailed, faxed or given directly to a field investigator.
16) You have a right to receive certain information, written or verbally, under the Missouri's Sunshine Law (Chapter 610 RSMo). When requesting information, it is important you never represent yourself as a Division of Labor Standards representative.